

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Matthew P. Vincent

Application No.: 09/586,723

U.S. Patent No. 7,363,267

Filed: Jun 5, 2000

Issued: Apr 22, 2008

For: CONTINGENCY-BASED
OPTIONS AND FUTURES FOR
CONTINGENT TRAVEL
ACCOMMODATIONS

Conf. No.: 7896

Examiner: Kazimi, Hani

T.C./Art Unit: 3691

REQUEST FOR CERTIFICATE OF CORRECTIONCommissioner for Patents
Office of Patent Publication
Attn: Certificate of Correction Branch
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The applicant requests a certificate of correction for the matter identified above pursuant to 35 USC § 254. More specifically, the applicant requests a correction to the front page and specification of U.S. Pat. No. 7,363,267 to correctly reflect the claim of priority to U.S. Prov. App. No. 60/137,310 as asserted by the applicant in the originally filed '723 application and as acknowledged by the U.S. Patent Office during prosecution of same. As grounds therefore, applicant notes the following:

1. On June 3, 1999, the applicant filed a provisional application, U.S. App. No. 60/137,310.
2. On June 5, 2000 (the first business day after the one year anniversary of the '310 application), the applicant filed U.S. App. No. 09/586,723 claiming the benefit of the '310 application.

3. On June 5, 2000, the applicant submitted an unsigned declaration with the '723 application, which declaration included an assertion of a claim of priority to the '310 application. A copy of this unsigned declaration is attached.
4. On July 31, 2000, the Patent Office acknowledged receipt of the unsigned declaration in a Missing Parts Notice.
5. On December 4, 2000, the applicant submitted a signed declaration in response to the outstanding Missing Parts Notice, which signed declaration included an assertion of a claim of priority to the '310 application. A copy of this signed declaration is attached.
6. On October 8, 2004, the Office formally acknowledged the applicant's claim of priority in the continuing data section of a Bibliographic Data Sheet. A copy of this Data Sheet is attached.
7. On March 5, 2008, the Office again formally acknowledged the applicant's claim of priority in the continuing data section of a Bibliographic Data Sheet. A copy of this Data Sheet is attached.

For reasons unknown to the applicant, an additional Bibliographic Data Sheet was filed on March 20, 2008 omitting this priority claim, and the application issued without any identification of the priority claim as initially asserted by the applicant and as maintained through prosecution by the applicant and by the U.S. Patent Office. The applicant has reviewed MPEP 1481.03 and related rules and regulations, and determined that a request for a certificate of correction is the appropriate remedial action for this inadvertent omission of a priority claim under 35 U.S.C. § 119(e).

The error in this case – an omission of a priority claim – is clearly disclosed by the records and was incurred through no fault of the applicant. The applicant now requests expedited issuance of a Certificate of Correction of this clear error pursuant to 35 U.S.C. § 254 and 37 CFR 1.322.

In further support of this request, the applicant submits herewith the fee of \$100 as specified by 37 CFR 1.20(a), and a Form PTO/SB/44 containing the requested correction to the front page and specification of U.S. Pat. No. 7, 363,267.

The applicant respectfully invites the Office to contact the applicant's representative at the number provided below if there are any questions concerning this submission.

Respectfully submitted,
STRATEGIC PATENTS, P.C.

/ R Dean Adams /
R. Dean Adams
Reg. No. 60,191
802-482-5682

December 8, 2008